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3 FAIR HOUSING LAW PROJECT

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13 Attorneys for Defendant and Third-Party Plaintiff

14 WORLD SAVINGS BANK, FSB

now WACHOVIA MORTGAGE, a division of

15 WELLS FARGO BANK, N.A. (formerly a.k.a.

WACHOVIA MORTGAGE, FSB)

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN JOSE DIVISION

20 BERNARDO REYES,

21 Plaintiff,

22 v.

23 PREMIER HOME FUNDING, INC. et al.,

24 Defendants.

25  
26 AND RELATED THIRD-PARTY  
27 COMPLAINTS  
28

Case No. C08-04606 JW

  
[PROPOSED]

**ORDER ON STIPULATION FOR  
WACHOVIA MORTGAGE TO FILE THIRD-  
PARTY COMPLAINT IN IMPLAIDER**

1 ALL PARTIES hereby stipulate to the proposed order permitting Defendant and Third-  
2 Party Plaintiff Wachovia Mortgage, a division of Wells Fargo Bank, N.A., (“Wachovia”) to file  
3 and serve the proposed Third-Party Complaint, and on the following terms.

4 1. The new parties and claims added in the Wachovia Third-Party Complaint shall not  
5 be a factor in the trial setting of Plaintiff’s case or the liability phase of Wachovia’s pending third-  
6 party complaint against The Escrow Forum.

7 2. New information came to light as a result of several recent depositions which  
8 indicate that additional impleader is appropriate. These depositions were those of (1) Mr. Satish  
9 Dass, principal of Premier Home Funding, which occurred on April 27; (2) the deposition of  
10 Plaintiff Bernardo Reyes, which occurred on May 27; and, (3) the deposition of Plaintiff’s spouse,  
11 which commenced on June 3.

12 3. The persons that Wachovia seeks to add by way of its Third-Party Complaint for  
13 indemnity and related remedies are all intimately involved with the loan origination put at issue by  
14 Plaintiff. The new Third-Party Complaint by Wachovia would add the loan broker’s principal and  
15 supervising real estate broker, Satish Dass, and the entity which brokered this loan, Premier Home  
16 Funding, Inc. and its related company Premier Group Lending, the sales manager of Premier, Mr.  
17 Chirag Patel, a person believed to have been involved as a sales agent of Premier, Mr. David  
18 Gradstein, as well as the persons who were involved in a direct capacity with purportedly  
19 delivering or not delivering loan documents and obtaining signatures on loan documents from  
20 Plaintiff and his spouse, Olga Salazar, namely: Rafael Montejano, Joel Candelario and Guadalupe  
21 Montoya Candelario. Already, The Escrow Forum has named and served the Candelarios and Mr.  
22 Montejano in its third-party claim in this action. The new parties brought in would be Satish Dass,  
23 Chirag Patel, and David Gradstein, persons directly involved in the brokered loan on behalf of  
24 Premier, it is alleged.

25 4. A true and correct copy of Wachovia’s proposed Third-Party Complaint is attached  
26 hereto as Exhibit “A.”

27 [signatures of counsel on next page]  
28

1 IT IS SO STIPULATED.

2 Dated: June 10, 2010

**FAIR HOUSING LAW PROJECT**

3  
4 /s/ Annette D. Kirkham

5 Annette D. Kirkham  
6 Attorneys for Plaintiff  
7 BERNARDO REYES

8  
9 Dated: June 10, 2010

ANGLIN, FLEWELLING, RASMUSSEN  
CAMPBELL & TRYTTEN LLP

10  
11 By: /s/ Fred Hickman

12 Fred Hickman  
13 fhickman@afrc.com

14 Attorneys for Defendant Attorneys for Defendant  
15 and Third-Party Plaintiff WORLD SAVINGS  
16 BANK, FSB now WACHOVIA MORTGAGE, a  
17 division of WELLS FARGO BANK, N.A.  
18 (formerly a.k.a. WACHOVIA MORTGAGE, FSB)

19 Dated: June 11, 2010

L. Scott Karlin, Esq.

20 By: /s/ L. Scott Karlin

21 L. Scott Karlin

22 Email:

23 Attorneys for Cross-Defendant, The Escrow Forum

24 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

25 I, Frederick J. Hickman, attest that concurrence in the filing of this document has been  
26 obtained from each of the signatories. I declare under penalty of perjury under the laws of the  
27 United States of America that the foregoing is true and correct. Executed this day, June 10, 2010.

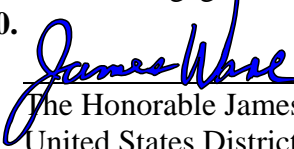
28 /s/ Fred Hickman

~~PROPOSED~~ ORDER

**IT IS ORDERED:**

For good cause appearing and based on the stipulation of counsel, Defendant and Third-Party Plaintiff Wachovia Mortgage, a division of Wells Fargo Bank, N.A. (formerly named World Savings Bank, FSB and Wachovia Mortgage, FSB) may file the Third-Party Complaint, dated June 10, 2010, and the clerk of the court shall issues summonses as appropriate. The Defendant and Third Party Plaintiff Wachovia Mortgage shall file their Third-Party Complaint as a separate docket entry by **June 25, 2010**.

Dated: June 21, 2010

  
The Honorable James Ware  
United States District Judge